

JUN 10 1977

Mr. James H. Lesar
1231 Fourth Street, S. W.
Washington, D. C. 20024

Dear Mr. Lesar:

This is in response to your March 10, 1977, request pursuant to the Freedom of Information Act for all appendix material to the Department's Martin Luther King, Jr., Task Force Report.

We note that your March 10 letter acknowledges receipt of the King Report in response to Item 6 of your February 7, 1977, Freedom of Information Act request. However, you consider such response, without appendix material, to be a "de facto denial" from which you appeal. You should know that since your Item 6 was a request for "(T)he 148 page report", appendix material was considered outside the scope of the request. Nevertheless, we are treating your March 10 letter of appeal as a request under the Freedom of Information Act for all appendix material.

The King Report carries Appendicies A, B and C. Appendix A has already been provided to you in my February 23, 1977, response. Material deleted from Appendix A is not being provided and is exempt from mandatory disclosure pursuant to 5 U.S.C. §552(b)(1) or (5) or (7)(c).

Appendix B has been reviewed and is provided with some deletions. Deletions have been made where material is exempt from mandatory disclosure pursuant to 5 U.S.C. §552(b)(1) or (5) or (7)(c).

Appendix C is not being provided. Material contained in the appendix is exempt from mandatory disclosure pursuant to 5 U.S.C. §552(b)(1) and (5).

Should you wish to appeal the denial of portions of your request, you may do so by writing, within thirty days, to the Attorney General (Attention: Freedom of Information Appeals Unit), United States Department of Justice, Washington, D. C. 20530. The envelope and letter should be clearly marked "Freedom of Information Appeal". Following review by the Department, judicial review of the decision of the Attorney General is available, pursuant to 5 U.S.C. §552(a)(4)(b), in the United States District Court in the judicial district in which you reside, in which you have your principal place of business, or in the District of Columbia.

Sincerely,

MICHAEL E. SHAHEEN, JR.
Counsel